CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

JULY 18, 2006

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

INVOCATION:
Assistant City Manager Haydon gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Trujillo led the pledge of allegiance.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Police Chief Macagni, Director of Community Development Lindsey, Fire Chief Ortiz, Director of Utilities Chisam, Director of Recreation and Parks Posada, Director of Public Works/City Engineer Sweet, City Librarian Pinneli, Risk Manager Cashmore, Grants Administrator Coelho-Hudson, and Chief Deputy City Clerk Perez.

ANNOUNCEMENTS
City Manager Ness announced that this would be the last meeting for Director of Utilities Dwayne Chisam who was leaving City service to accept a position as the first Director of Public Works/City Engineer for the City of Los Banos. City Manager Ness said that Director Chisam has spent the last 15 years building projects in Santa Maria, and all of those projects are either finished or in the development stage. He is a guy who likes to build things and sees plenty of opportunity to do that in Los Banos. The City has been fortunate to have Dwayne here for the last 15 years. Dwayne is innovative, creative and entrepreneurial, extremely bright, passionate about his craft, and a very hard worker. Some of the projects Dwayne worked on include: implementation of the importation of State water, lead staff person involved in the 9-year water litigation lawsuit, developing a Regional Water Plan to supply supplemental water to neighboring communities, securing local ground water and surface water supplies through the groundwater basin adjudication, implementing the City's water fluoridation system, planning and overseeing the expansion of the Waste Water Treatment Plant, construction of the additional water storage reservoirs and water transmission mains, increasing the sewer trunk line capacity and additional water control facilities, expanding the City landfill, the City's purchase of the 1,778 acres Las Flores Ranch property, overseeing the implementation of the National Pollutant Discharge Elimination System Stormwater Program and the Emergency Response and Security Plans, enhancing and expanding a Household Hazardous Waste Program, and implementing the Green Canyon Drainage System in conjunction with the City Engineer. Dwayne has represented the City on a number of boards and task forces including the Central Coast Water Authority and Solid Waste Multi-Jurisdictional Task Force, Santa Barbara County Water Purveyors Agency, and Sanitary Agency Managers Association. Every day, all the residents in Santa Maria are able to obtain a safe and reliable supply of fresh drinking water, and have their trash and waste removed safely. Santa Maria is well positioned to continue supplying these services now and for many years to come. The City owes much of this to Dwayne's knowledge, talent, leadership, and skills. The City is in good financial measure largely because of Dwayne's talent in creating several innovative programs that generate significant revenues without raising taxes, such as the sale of surplus supplemental water supplies, accepting non-hazardous impacted soil at the landfill, river mining at the landfill, and converting waste byproducts into energy sources.

Also, John Zhao, the City's Solid Waste Engineer, will be leaving the City on July 28th. Dwayne and John have worked together for many years. The two of them make a tremendous team. City Manager Ness also stated that John was one of the most brilliant, creative, innovative, talented, and entrepreneurial workers he has known. The City will sorely miss him as well.

Mayor Lavagnino stated it was bittersweet seeing Dwayne leave because the City relies so much on his knowledge and expertise. He has been a tremendous employee. The City Council has so much trust in his integrity and expertise. He has done a great job for the City, and the proof is going to be in future generations. He has asked that a letter be drawn for his signature to the Mayor of Los Banos explaining what a tremendous employee they are getting and acknowledging not only Dwayne's past accomplishments, but telling them that Dwayne will probably be the best employee they will ever have.

Councilmember Trujillo stated he would miss Dwayne very much, especially for his expertise and assistance on the Central Coast Water Authority and thanked him for everything he has done for the City.

Councilmember Orach stated he couldn't add much more. The City would miss Dwayne. He wished Dwayne well in his new position.

Councilmember Patino stated the City would certainly miss Dwayne's expertise and integrity, especially with the water litigation.

Councilmember Mariscal stated he was proud to be sitting as a Councilmember in a community that has had an employee such as Dwayne. Dwayne and John Zhao are not leaving because of any disenchantment with the City. It is because they have had the opportunity to use their creativity to come up with solutions to situations that have been very well recognized in the State. It is creative individuals like Dwayne and John who have made Santa Maria the community that it is. He wished them good luck.
Director of Utilities Chisam said his years in Santa Maria had been a tremendous ride. He said it was the environment and the location. It was bittersweet to leave because he loved Santa Maria. The community of Los Banos is about 35,000 people, and they want to double their size in 10 years. They are looking for ways to do that and need some assistance. It is that opportunity that excites him. He thanked the City Council for their support.

City Manager Ness stated Dwayne is the type of person who will be impossible to replace. He then stated that said he would like to announce his selection to replace Dwayne and that the Director of Utilities is a very crucial position in the City because it is multi-faceted. The City would be very hard pressed to find someone who has the talents Dwayne has, not only in water and wastewater, but also in the landfill business. He then said it was his intention to move Rick Sweet, Director of Public Works/City Engineer, to the Director of Utilities position, that Rick is familiar in those areas, and announced his intent to recruit for a new Director of Public Works/City Engineer.

PARKS AND RECREATION MONTH
Councilmember Orach read a proclamation declaring the month of July as "Parks and Recreation Month" in the City of Santa Maria, and encouraging all citizens to enjoy and recognize the social, physical, mental, economic, environmental, and community benefits derived from taking part in the myriad of activities offered through recreation and leisure programs and services, which provide something of value to everyone. The proclamation was accepted by Director of Recreation and Parks Posada.

VOLUNTEER OF THE MONTH
Councilmember Mariscal presented a gift to Merce Ramos, the Recreation and Parks Volunteer of the Month for July, 2006, for his commitment and dedication serving the Youth Basketball Program as a coach for both boys' and girls' basketball teams, as well as a volunteer for youth sports camps.

PUBLIC COMMENT
Bob Ziener spoke about the similarities between Jerusalem and the Central Coast and a National Crusade - Prayers for Peace held in 1998. He suggested there was a need for a National Crusade - Prayers for Peace in the Middle East to invoke the power of prayer to help resolve the situation in the Middle East.

Ernest Armenta encouraged the viewing audience to get involved in the election process, run for City Council and register to vote. He also spoke against the reauthorization of Measure D.

Toru Miyoshi spoke regarding the transportation of soil from the Guadalupe Dunes to the landfill. He said he had received a lot of new information that the Council may not have received and wanted to submit the information to the City. He briefly explained the information he had. He requested an item be placed on a Council agenda so the Council could act on the information.

CONSENT CALENDAR
Councilmember Trujillo requested Item K be pulled for comment. Councilmember Patino requested Item J be pulled; and Councilmember Mariscal requested Item S be pulled for comment.

Item J – Alcoholic Beverage License Procedure Change
Councilmember Patino stated she thought it was important to the community for the City Council to see all ABC Licenses. She requested the item be removed from the Consent Calendar.

City Manager Ness stated when City staff places these Alcoholic Beverage Licenses on the agenda, Council is not being asked to act on the licenses. Council is not being asked to approve or deny those particular licenses. They are strictly a "note and file" item on the Consent Agenda.

Mayor Lavagnino suggested the "note and file" ABC Licenses be included in Council Notes so Council would be aware of the locations. He suggested Item J be pulled from the Consent Agenda and Councilmember Patino discuss it further with staff.

Item K – Extension of Lease Agreement with Minson Company for the Orcutt Branch Library
Councilmember Trujillo stated the City had been leasing this space since 1988 and asked if it wouldn't be better for the City to purchase a building.

City Librarian Pinneli responded that would actually be the ideal situation; however, there were no funds available for a purchase. The lease is paid for through County funding that the City receives to operate that and other branches. The City does not use any of its own funds for the branch libraries.

Item S – Grant Funding from California Department of Parks and Recreation
Councilmember Mariscal stated the Santa Maria Riverbed has historically had some issues with off-road vehicles using the Riverbed. There is money available through the State for the City to start looking at off-road vehicle programs. This money could also be utilized for portions of the recreation area at the Las Flores Ranch property.

Consent Calendar Items A through T excluding Item J, which was pulled, were approved with the indicated action on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar are adopted by the same vote cast at the first reading unless City Council indicates otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of July 5, 2006, were approved as submitted.

C. GRAND JURY REPORT
Council approved the City's response to the Santa Barbara County Grand Jury Report entitled "Measure D – Progress as Promised" and instructed the Director of Public Works/City Engineer to sign and transmit the Council's response to the Presiding Judge of the Superior Court and the Grand Jury.

D. WARRANTS
Warrant Nos. 128411 to 128682 in the amount of $1,980,187.00 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 120369, 128050, 128398, 128474, and 128492 were canceled.

E. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

F. ENTERTAINMENT LICENSE
Council approved an Entertainment License for Maricos La Coqueta located at 118 W. Chapel Street to allow entertainment during the evening hours to 11:00 p.m. Thursday through Sunday.

G. ENTERTAINMENT LICENSE
Council approved a change in an Entertainment License for the Radisson Hotel Santa Maria located at 3455 Skyway Drive to allow entertainment Friday and Saturday from 7:00 p.m. to 11:00 p.m. and on Sunday from 10:00 a.m. to 2:00 p.m.

H. ALCOHOLIC BEVERAGE LICENSE
Council noted and filed a Notice from the California Department of Alcoholic Beverage Control of an application for a transfer of an Alcoholic Beverage License for Albertsons at 2320 S. Broadway.

I. ALCOHOLIC BEVERAGE LICENSE
Council noted and filed a Notice from the California Department of Alcoholic Beverage Control of an application for an Alcoholic Beverage License for William James Cellars at 2643 Industrial Parkway, Suite A.

J. ALCOHOLIC BEVERAGE LICENSES
A report regarding a revised procedure that would allow Alcoholic Beverage Licenses that are not within areas of undue concentration to be processed administratively was pulled from Consent at the request of Councilmember Patino.

K. LEASE AGREEMENT
Resolution No. 2006-109 was adopted approving the extension of the lease agreement with the Minson Company for the Orcutt Branch Library.

Resolution No. 2006-109 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN EXTENSION OF THE LEASE AGREEMENT BETWEEN THE CITY AND THE MINSON COMPANY FOR THE ORCUTT BRANCH LIBRARY FOR THREE YEARS.

L. ONE-HOUR PARKING ZONE
Resolution No. 2006-110 was adopted approving the establishment of a one-hour parking zone on Roemer Way near Roemer Place.

Resolution No. 2006-110 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING ONE-HOUR LIMITED TIME PARKING ZONES ON ROEMER WAY PURSUANT TO SECTION 7-5.14 OF THE SANTA MARIA MUNICIPAL CODE.

M. ONE-HOUR PARKING ZONES
Resolution No. 2006-111 was adopted approving the establishment of one-hour parking zones on Carlotti Drive in front of White Cap Construction Supply at 1646 Carlotti Drive.

Resolution No. 2006-111 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING ONE-HOUR LIMITED TIME PARKING ZONES ON CARLOTTI DRIVE PURSUANT TO SECTION 7-5.14 OF THE SANTA MARIA MUNICIPAL CODE.

N. NO STOPPING ZONE
Resolution No. 2006-112 was adopted establishing a no stopping zone on Auto Park Drive near Mercury Drive.

Resolution No. 2006-112 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING A NO STOPPING ZONE ON AUTO PARK DRIVE PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

O. NO STOPPING ZONE
Resolution No. 2006-113 was adopted establishing a no stopping zone on Main Street near Russell Avenue.

Resolution No. 2006-113 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING A NO STOPPING ZONE ON MAIN STREET PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

P. NO STOPPING ZONE
Resolution No. 2006-114 was adopted establishing a no stopping zone on Morrison Avenue near Russell Avenue.

Resolution No. 2006-114 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING A NO STOPPING ZONE ON MORRISON AVENUE PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

Q. NOTICE OF CONTRACT COMPLETION
Council approved a Notice of Contract Completion for the Library Parking Structure, Bid No. 2005/03 and authorized the Chief Deputy City Clerk to record same.

R. ACCUMULATED TDA FUNDS
Resolution No. 2006-115 was adopted authorizing the expenditure of accumulated Transportation Development Act (TDA) funds for critical transit capital projects.

Resolution No. 2006-115 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE EXPENDITURE OF ACCUMULATED TRANSPORTATION DEVELOPMENT ACT FUNDS FOR CRITICAL TRANSIT OPERATIONS AND CAPITAL PROJECTS IN FISCAL YEAR 2006-07.

S. COMPETITIVE GRANT PROCESS
Resolution No. 2006-116 was adopted approving the submittal of an application through the competitive grant process administered by the State of California Department of

Parks and Recreation for the Santa Maria River Nature Trail and the Santa Maria Las Flores Property.

Resolution No. 2006-116 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE RECREATION AND PARKS DEPARTMENT TO APPLY FOR GRANT FUNDS FOR THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, OFF-HIGHWAY VEHICLE GRANT FUNDS.

T. SUPPLEMENTAL WATER AGREEMENTS

Resolution No. 2006-117 was adopted authorizing the City Manager to review and extend Supplemental Water Agreements with individual Orcutt community property owners on a case-by-case basis for a one-year period for the sale of State Water Yield. This resolution corrects an error in Resolution No. 2006-97.

Resolution No. 2006-117 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING EXTENSIONS OF SUPPLEMENTAL WATER AGREEMENTS BETWEEN THE CITY OF SANTA MARIA AND INDIVIDUAL ORCUTT COMMUNITY PROPERTY OWNERS FOR THE SALE OF WATER FROM STATE WATER YIELD.

DONATION FROM ALTRUSA INTERNATIONAL, INC.

City Librarian Francisco Pinneli gave the staff report. In May 2003, the Altrusa International Foundation, Santa Maria, made a commitment to donate $60,000 to the new Santa Maria Main Library to support services for children and young adults. On July 19, 2005, the foundation presented $20,000 to the City as the first installment. They are now presenting the remaining $40,000. The latest installment will be used to purchase books for children and young adults, an audio-visual collection, equipment and furniture for a homework center, an audio-visual listening center, children's manipulatives used for story times, and for a mural to be commissioned from a local artist.

Resolution No. 2006-118 was adopted accepting the donation of $40,000 on motion by Councilmember Trujillo, seconded by Councilmember Orach, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2006-118 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE CITY LIBRARIAN TO ACCEPT A DONATION FROM ALTRUSA INTERNATIONAL INC., OF SANTA MARIA, CALIFORNIA, FOR LIBRARY MATERIALS AND EQUIPMENT.

Diane Aleman-Stevens of Altrusa International, Inc., presented a check for $40,000 to the City Librarian.

Mayor Lavagnino presented a Certificate of Appreciation to Ms. Stevens and thanked her and Altrusa International, Inc., for their generous contribution to the Library.

APPEAL BY MICHAEL MURPHY

Mayor Lavagnino explained that Michael Murphy, owner and operator of Santa Maria Valley Taxi, filed an appeal of the decision by the Director of Administrative Services to issue a Certificate of Public Convenience and Necessity to Jeff Goldenberg to operate Santa Maria Cab Company. The appeal was initially heard at the June 20, 2006, City Council meeting. The public hearing was continued to this meeting. On June 29th, Michael and Lorene Murphy submitted a letter withdrawing their appeal.

Mayor Lavagnino accepted the withdrawal of the appeal by Michael and Lorene Murphy. No action by Council was necessary.

TEFRA HEARING FOR GOOD SAMARITAN SHELTER

Grants Administrator Coelho-Hudson gave the staff report. Good Samaritan, a public benefit corporation, has provided services to the homeless in the Santa Maria area since 1987 and opened its first overnight shelter in 1988. Good Samaritan has requested that the Housing Authority of the County of Santa Barbara issue and sell to Los Padres Bank a tax-exempt note in the maximum principal amount of $950,000 for the purpose of obtaining funds to make a loan to Good Samaritan. Obtaining the loan will enable Good Samaritan to repay a loan from Mid-State Bank & Trust, and refinance a transitional housing facility located at 401 West Morrison Avenue. A loan made by the City to Good Samaritan in the amount of $169,400 in connection with the transitional housing facility is secured by a deed of trust in favor of the City. As a condition to the purchase of the Note by Los Padres Bank, the bank is requesting the city execute a Subordination Agreement among the City, Good Samaritan, and Los Padres Bank.

Mayor Lavagnino opened the public hearing. Hearing no requests to speak, Mayor Lavagnino closed the public hearing.

Resolution No. 2006-119 was adopted approving the issuance of a note for Good Samaritan on motion by Councilmember Patino, seconded by Councilmember Orach, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2006-119 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE ISSUANCE OF A NOTE BY THE HOUSING AUTHORITY OF THE COUNTY OF SANTA BARBARA FOR THE PURPOSE OF REFINANCING A TRANSITIONAL HOUSING FACILITY OF GOOD SAMARITAN SHELTER, INC.; CONSENTING TO THE OPERATION OF THE COUNTY HOUSING AUTHORITY IN THE CITY WITH RESPECT THERETO; AND APPROVING SUBORDINATION AGREEMENT.

WEED ABATEMENT ASSESSMENTS

Director of Public Works/City Engineer Sweet gave the staff report. On April 18, 2006, the City Council adopted Resolution No. 2006-60 ordering the Streets and Facilities Manager to abate the nuisances as described in Resolution No. 2006-36. The nuisances were to be abated by the removal of weeds, rubbish, and dirt by appropriate means. On March 22, 2006, Streets and Facilities staff mailed an abatement letter to owners of 169 properties. The letter advised the property owners that their property was in need of abatement and gave them the opportunity to accomplish the abatement on their own. Property owners abated 142 lots. Additionally, one lot was in the process of being developed. The City's contractor abated weeds and debris on the balance of the 26 lots. The cost for the abatement of these 26 lots will be assessed as part of the property tax bills.

Mayor Lavagnino asked if the Smith property at the corner of Miller and Boone Streets had been abated.

Director Sweet indicated that he would look into it; and if it hadn't been abated, City staff would take care of it.

Mayor Lavagnino opened the public hearing. Hearing no requests to speak, Mayor Lavagnino closed the public hearing.

Resolution No. 2006-120 was adopted approving the 2006 weed abatement costs on motion by Councilmember Orach, seconded by Councilmember Mariscal, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2006-119 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING REPORT OF WEED ABATEMENT COSTS FOR ASSESSMENT PURPOSES BY THE STREETS AND FACILITIES MANAGER.

LANDSCAPE MAINTENANCE DISTRICT ASSESSMENTS

Recreation and Parks Director Posada gave the staff report. The City has four Landscape Maintenance Districts and 15 Special Benefit Zones which were formed pursuant to the California Streets and Highways Code and the 1972 Landscape and Lighting Act. As new development occurs within each of the Districts, developers/owners agree to be annexed into a Landscape Maintenance District. In 2006-2007, it is projected that there will be 7,265 dwelling units and 317 commercial properties within the four Districts. This is an overall increase of 787 residential dwelling units and 36 commercial units. Since 2004, all residential and commercial assessments are assessed the same amount within their respective District. Current assessments will be increased by 4.5 percent based on the Consumer Price Index (CPI). The amounts of the increases in each residential District as shown in the Engineer's Report were approved on May 16, 2006. He explained that the City would be using a new contractor to maintain the Districts starting this fiscal year.

Mayor Lavagnino commented that the Landscape Maintenance Districts really make a difference in the appearance of the City and increase property values. He asked that Director Posada keep an eye on the new contractor to insure that the level of service remained adequate.
Mayor Lavagnino opened the public hearing.

Ernest Armenta asked how the property owners were notified of the 4.5 percent increase in their tax bills.

Director Posada explained that the Districts were formed under the Lighting and Landscaping Act which allowed for an annual CPI increase without having to go to a vote of the people. This was the second time the item had been before the Council. A public hearing was noticed in the newspaper for this meeting.

City Attorney Trujillo stated there was no proposed change to the original formula that was approved when the Districts were formed. He explained that if the original formula was being changed or if the increase was more than CPI, then the property owners within each District would have to vote on the increase.

Director Posada explained that without the CPI increases each year, the cost of maintenance would continue to rise; however, there would not be sufficient funds to continue the same level of maintenance service.

Hearing no further requests to speak, Mayor Lavagnino closed the public hearing.

Resolution No. 2006-121, 2006-122, 2006-123, and 2006-124 were adopted approving the 2006 assessments for four Landscape Maintenance Districts and 15 Special Benefit Zones on motion by Councilmember Mariscal, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2006-121 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND

ASSESSMENTS FOR THE SOUTH MILLER STREET/SOUTH COLLEGE DRIVE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-6.

Resolution No. 2006-122 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE NORTHWEST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-9.

Resolution No. 2006-123 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE NORTHEAST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-10.

Resolution No. 2006-124 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE SOUTHWEST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-11.

WILLIAMS FEEDLOT ASSESSMENTS

Director of Public Works/City Engineer Sweet gave the staff report. In 1996, the City formed Assessment District No. 96-1 (Williams Feedlot) to finance the purchase and cleanup of the Williams Feedlot and to cause the feedlot to cease operations because of citizen complaints about feedlot dust, odors and flies. This was a 10-year assessment district. The original District included 2,190 separate parcels. As properties within the District boundaries have subdivided, these new lots have been annexed into the Assessment District. The District now includes 2,956 parcels, for a total of 3,671 benefit units. The first five years that the District was in place, the annual cost to each benefit unit was $21.84. Last year's assessment was $17.16 per unit. The assessment for 2006/07 will remain $17.16 per benefit unit. This is the final year of the 10-year Assessment District.

Mayor Lavagnino opened the public hearing.

Ernest Armenta asked if there was a plan for continued maintenance of the park space since this was the last year of the Assessment District.

Director Sweet explained that the Assessment District was formed solely for the purpose of purchasing the property and abating the feedlot. That will be paid off this year. Maintenance of the park is included in the Landscape Maintenance Assessment Districts.

Ernest Armenta asked if this assessment would come off the property tax bills after this year.

Director Sweet explained that this would be the last year for the assessment on the property tax bills. He said this District's assessments have decreased over the years as more properties were added to the District with development.

Ernest Armenta said he thought under Proposition 218, anytime the City increased assessments it had to go to a vote of the people.

City Manager Ness explained that anything above an annual CPI increase would require a vote of the affected property owners. The City was only increasing the assessments by the CPI, so no vote was required.

Ernest Armenta asked if the City could start posting the agenda on PEG TV as a lot of people did not have access to the internet.

Hearing no further requests to speak, Mayor Lavagnino closed the public hearing.

Resolution No. 2006-125 was adopted approving the 2006 assessments for Williams Feedlot on motion by Councilmember Trujillo, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2006-125 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CHANGING ASSESSMENT ROLL ASSESSMENT DISTRICT NO. 96-1 (WILLIAMS FEEDLOT).

CALE-WEST STREET SUBDIVISION, TRACT 5915

Director of Community Development Lindsey gave the staff report. The request is for a Tentative Tract Map for Cale-West Street Subdivision located at 302-308 West Street. The subject property is approximately 0.76 of an acre in size. The proposed Tentative Tract Map would allow the construction of a total of eight detached single-family dwelling units and one common lot. The project would result in the creation of eight lots ranging from 1,774.1 to 1,997.9 square feet.

He indicated that the applicant's representative had just informed him that the applicant was requesting a continuance until the next meeting to allow time to complete some surveying of the property on the east side of the project site.

Mayor Lavagnino stated on the Fire Department memo, page 1 of 4, it is stamped "not approved." He asked if that was a mistake.

Director Lindsey stated he thought it was misstamped. He had received information from the Fire Department that they had approved it.

On motion by Council Member Orach, seconded by Councilmember Patino and carried unanimously, the public hearing was continued to the next regular City Council Meeting on August 1, 2006.

APPPOINTMENTS TO BOARDS/COMMITTEES

Chief Deputy City Clerk Perez gave the staff report. The City currently has five vacancies on the Block Grants Advisory Committee and 2 vacancies on the Library Board of Trustees. On the Block Grants Advisory Committee, incumbents Carl Engel, John McCoy and Fred Pratt did not reapply. Incumbents Karen Cordary and Roxanne Ventriglia did reapply. Two applications were received from Robert Doyle and Robert Litzinger. Each Councilmember will have the opportunity to nominate one member; however, there will still be one vacancy as insufficient applications were received to fill all five vacancies. On the Library Board of Trustees, both incumbents Phillip Alvarado and Margaret Cooper are seeking reappointment. No other applications were received. Members to the Library Board of Trustees are appointed by the Mayor and confirmed by the Council.

Block Grants Advisory Committee

Councilmember Patino nominated Karen Cordary.

Councilmember Trujillo nominated Roxanne Ventriglia.

Councilmember Mariscal nominated Robert Doyle.

Mayor Lavagnino nominated Robert Litzinger.

On motion by Mayor Lavagnino, seconded by Councilmember Mariscal, and carried unanimously, the following appointments to the Block Grants Advisory Committee were confirmed for a three-year term:

Karen Cordary
Roxanne Ventriglia
Robert Doyle
Robert Litzinger

Library Board of Trustees

On motion by Councilmember Patino, seconded by Councilmember Trujillo, and carried unanimously, Phillip Alvarado and Margaret Cooper were reappointed to three-year terms on the Library Board of Trustees.

REPORT BY CITY MANAGER
City Manager Ness reported on items for the next regular City Council meeting on August 1, 2006, including public hearings for the Cale-West Subdivision which was continued from this meeting, Harvest Glen Townhomes Tentative Tract Map, an amendment to the 2004 Local Law Enforcement Block Grant Allocation, appointments to the All-America City Committee, and the City's response to the 4th Grand Jury Report.

ORAL REPORTS OF COUNCILMEMBERS
Councilmember Trujillo reported on a visit to Café FX, a computer organization. They are doing a lot of good in Santa Maria and bringing in a lot of high-level jobs. They are working with the networks and the movie industry.

Councilmember Patino reported on the opening day ceremonies for the Santa Barbara County Fair.

Councilmember Mariscal reported on his recent family vacation to New York City and upper New York State. He also reported that he had attended a League of California Cities Leadership Institute learning about transportation in Shaver Lake. The infrastructure needs of the State of California are not only dire right now, but they will continue to become more and more necessary. The infrastructure backlog is over $300 billion. There is a surplus in the State budget of Gas Tax because of the increase in cost of gasoline. The City of Santa Maria will probably be receiving some additional funding.

CLOSED SESSION
Council recessed to Closed Session at 8:00 p.m. for Conference with Legal Counsel regarding existing litigation pursuant to Subsection (a) of Government Code Section 54956.9 to discuss Santa Maria Valley Water Conservation District v. City of Santa Maria and Liability Claims pursuant to Government Code Section 54956.95 regarding claimant Nadine Silva's claim against the City of Santa Maria.

After the Closed Session, the following was announced.

Conference with Legal Counsel regarding Santa Maria Valley Water Conservation District v. City of Santa Maria – Status report given. No reportable action was taken.

Conference with Legal Counsel regarding Liability Claim – Direction to staff was given.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned at 8:42 p.m. by order of Mayor Lavagnino.

APPROVED

8-1-06
Date

Patricia A. Pitcher
Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

Mayor of the City of Santa Maria

ATTEST

Chief Deputy City Clerk